U.S. Patent Application Serial No. 09/938,172 Attorney Docket No. 04995/023001 - F29-1134893M/OSK

## RE MARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application and indicating that claims 3 and 4 contain allowable subject matter. Claim 3 has been amended.

## Disposition of Claims

Claims 1-4 are pending in this application. Claims 1-3 are independent. Claim 3 has been amended. Claim 4 depends from allowable claim 3.

Claim 3 has been amended to be in independent form incorporating the subject matter of original claim 2 which was the original base claim of claim 3. The Examiner in the Office Action dated February 4, 2004, indicated that claim 3 would be allowable if so rewritten.

## Conclusion

Applicant believes this application is in condition for allowance and respectfully requests favorable action in the form of a Notice of Allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995/023001)

Respectfully submitted,

Date: Plizlag

Jonathan P. Osha, Reg. No. 33,986

Osha & May LLP.

1221 McKinney, Suite 2800

Houston, TX 77010

Telephone: (713) 228-8600

Facsimile: (713) 228-8778

70829\_1.DOC